

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MICHAEL TORELL,

Plaintiff,

v.

STATE OF WASHINGTON et al.,

Defendant.

CASE NO. 3:25-cv-05504-DGE

ORDER

This Court previously entered an Order dismissing Plaintiff’s complaint with leave to amend under 28 U.S.C. § 1915(e)(2)(B). (Dkt. No. 7.) The Court held that the complaint failed to state a claim because it “does not state what institution(s) he was detained in, at what period(s) of time” and “does not state which of the 44 Defendants are responsible for the alleged deliberate indifference to his serious medical needs, and how they knew of his condition.” (*Id.* at 2–3.) Since then, Plaintiff has filed a “Declaration of Deliberate Indifference.” (Dkt. No. 13.) The Declaration addresses some but not all of the Court’s concerns. It specifies that he was housed at SCCC [Stafford Creek Corrections Center]. (*Id.* at 2.) It specifies that Plaintiff was seen for

1 treatment on August 2, 2022 and diagnosed with a mass near his vocal chords. (*Id.*) However, it
2 still does not specify any individual involved in Plaintiff's medical care or alleged deprivation of
3 care.


4 Plaintiff still needs to file an amended complaint with at least *some* detail of who was
5 involved in his medical care and their alleged action (or lack of action) to state a claim for
6 deliberate indifference. (*See* Dkt. No. 7 at 3, n.1.) Plaintiff has named 44 defendants but fails to
7 identify what role, if any, each defendant had regarding Plaintiff's claim(s). Plaintiff should
8 provide as much information as possible describing each defendant's specific conduct.¹

9 I CONCLUSION

10 Plaintiff has until September 12, 2025 to file an amended complaint consistent with this
11 Order and the Court's prior Order. (Dkt. No. 7.)

12 Regarding Plaintiff's motion to preserve evidence (Dkt. No. 12), it is DENIED without
13 prejudice as premature. Plaintiff's current complaint is deficient, and no defendants have
14 appeared in this matter.

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16 Dated this 15 day of August, 2025.

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19 
20 _____
21 David G. Estudillo
22 United States District Judge

23 _____
24 ¹ Plaintiff's Declaration states that medical records are attached as Exhibit A (Dkt. No. 13 at 1),
but the Court did not receive any attachment.